



December 1, 2022

BY ELECTRONIC FILING ONLY

Hon. Hector Gonzalez, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East, Courtroom 6A
Brooklyn, New York 11201

Re: United States of America v. Michael Hanakis
Case No. 04-CR-619(S-1)-01(JB)

Dear Judge Gonzalez:

We represent defendant, Michael Hanakis, whose letter application (ECF 92) to be relieved of his restitution obligation in light of a settlement with Wells Fargo Century, which released all claims, or to modify the restitution order was fully briefed on July 22, 2022 in accordance with a schedule approved by the Court. As best as we can determine, the letter motion remains pending and undecided.

Despite the full release by Wells Fargo Century, and despite the financial hardship to Mr. Hanakis, he has continued to make restitution payments not required under his settlement with Wells Fargo while we await the Court's decision, since the Government's opposition asserts that the Court lacks authority to cancel restitution unless the victim has been fully compensated, and the Marshal previously advised Mr. Hanakis that restitution payments are required absent a Court Order relieving him of payment obligations.

Under these circumstances, our client has asked that we inquire as to the status of a decision on the letter motion. We would appreciate any information that the Court is able to share as to when a decision might be forthcoming. Thank you for your understanding about this request.

Very truly yours,

FORCHELLI DEEGAN TERRANA LLP



Russell G. Tisman

cc: Daniel G Saavedra, Esq. (by ECF)